

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILYNCIA D. GREER,

Plaintiff,

Civil Action No.
11-CV-10330

vs.

COMMISSIONER OF
SOCIAL SECURITY,

HON. MARK A. GOLDSMITH

Defendant.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION and GRANTING PLAINTIFF'S MOTION FOR
ATTORNEY FEES AND COSTS**

This matter is presently before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge R. Steven Whalen, issued on February 28, 2013. The Magistrate Judge recommends that Plaintiff’s motion for attorney fees and costs be granted, and that Defendant shall determine, within 14 days of today’s date, whether Plaintiff owes the Government a pre-existing debt. More specifically, the Magistrate Judge recommends that Plaintiff be awarded fees and costs in the amount of \$3,881.25. The Magistrate Judge further recommends that, if no pre-existing debt is owed to the Government, then payment of the fees and costs should be made directly to Plaintiff’s attorney. However, if such debt is owed, the fees and costs awarded must be offset by the amount of the debt.

No party has filed objections to the R&R and the time to do so has expired. Therefore, the parties have waived their right to challenge the R&R. See Thomas v. Arn, 474 U.S. 140, 155 (1985). Accordingly, the R&R is accepted and Plaintiff’s motion (Dkt. 16) is granted.

SO ORDERED.

Dated: March 25, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 25, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager